
STATUTORY INSTRUMENTS

2019 No. 453

**The Drivers' Hours and Tachographs
(Amendment etc.) (EU Exit) Regulations 2019**

PART 3

Amendments pursuant to the European Union (Withdrawal) Act 2018

CHAPTER 1

Amendments of primary legislation

Transport Act 1968

35.—(1) Section 97 (as amended by regulation 4 of these Regulations) is amended as follows.

(2) In subsection (1)(a)—

- (a) in sub-paragraph (i), after “EU Tachographs Regulation” insert “or the equivalent EU Regulation”;
- (b) in sub-paragraph (ii), for “that Regulation (including the relevant Annexes to it)” substitute “the EU Tachographs Regulation (including the relevant technical specifications)”.

(3) In subsection (1)(b), at the end insert “or the equivalent EU Regulation”.

(4) In subsection (4B), for “a type-approval mark issued under Article 14 of the EU Tachographs Regulation” substitute “the relevant UK type-approval mark or the relevant EU type-approval mark (see Article 11A of the EU Tachographs Regulation)”.

(5) In subsection (7)—

- (a) before the definition of “the EU Tachographs Regulation” insert—

““the equivalent EU Regulation” means [Regulation \(EU\) No 165/2014](#) of the European Parliament and of the Council on tachographs in road transport⁽¹⁾ as it has effect in EU law, as amended from time to time;”
- (b) in the definition of “the EU Tachographs Regulation”, omit the words from “as read with” to the end;
- (c) after the definition of “recording equipment” insert—

““the relevant EU type-approval mark”, in relation to recording equipment, means a type-approval mark issued by an EU member State in relation to that type of recording equipment under Article 14 of the equivalent EU Regulation;”;
- (d) in the definition of “the relevant Annexes”—
 - (i) for ““the relevant Annexes” to the EU Tachographs Regulation” substitute ““the relevant technical specifications””;

(1) OJNo. L 60, 28.2.2014, p. 1.

(ii) in paragraph (a)(i) and (ii), for “that Regulation” substitute “the EU Tachographs Regulation”;

(iii) for paragraph (b) substitute—

“(b) in the case of a vehicle put into service for the first time on or after that date means—

(i) Annex IB and Annex II to the EU Tachographs Regulation, except where regulations under Article 11 of that Regulation provide for other detailed provisions to apply instead of those Annexes;

(ii) where regulations under Article 11 of the EU Tachographs Regulation provide as mentioned in sub-paragraph (i), the detailed provisions that apply as a result of those regulations;”;

(e) at the end insert—

““the relevant UK type-approval mark”, in relation to recording equipment, means the mark which is “the relevant type-approval mark” in relation to the marking of that equipment, for the purposes of the Motor Vehicles (Type Approval) Regulations 1980.”.